

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 CIV 4639 (SHS)(HP)

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RICHARD DESCLAFANI,

**JOINT MOTION FOR
STAY OF DISCOVERY**

Plaintiff,

- against -

PAVE-MARK CORPORATION, STIMSONITE
CORPORATION, STIMSONITE CORPORATION,
as successor in interest to PAVE-MARK CORPORATION,
AVERY DENNISON CORPORATION and AVERY
DENNISON CORPORATION, as successor in interest
to STIMSONITE CORPORATION,

Defendants.
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Plaintiff Richard Desclafani and Defendants Stimsonite Corporation (“Stimsonite”) and Avery Dennison Corporation (“Avery Dennison”) move this Court for an order granting a stay of discovery other than any discovery that may be relevant to Defendants’ previously filed Motion for Summary Judgment on the issue of successor liability. A ruling on Defendants’ motion could dispose of this action on the threshold legal question of successor liability, and both parties agree that the resources of the parties and the Court would be best preserved by staying discovery and all other case deadlines pending the Court’s decision on the motion.

For these reasons, and in the interests of justice, Plaintiff and Defendants ask the Court to enter an order:

1. Staying all discovery and continuing all case-management deadlines during the pendency of Defendants’ Motion for Summary Judgment filed November 20, 2007; and

2. Ordering the parties, should the Court deny Defendants' motion, to contact the Court to schedule a status conference to reset outstanding case management deadlines

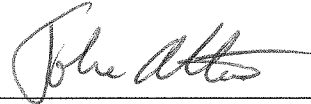
A draft order is attached.

Dated: December 12, 2007



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AVERY DENNISON CORPORATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 CIV 4639 (SHS)(HP)

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RICHARD DESCLAFANI,

[PROPOSED] ORDER

Plaintiff,

- against -

PAVE-MARK CORPORATION, STIMSONITE
CORPORATION, STIMSONITE CORPORATION,
as successor in interest to PAVE-MARK CORPORATION,
AVERY DENNISON CORPORATION and AVERY
DENNISON CORPORATION, as successor in interest
to STIMSONITE CORPORATION,

Defendants.
-----X

Upon the Joint Motion of Plaintiff Richard Desclafani and Defendants Stimsonite Corporation and Avery Dennison Corporation to Stay Discovery, and for good cause shown, the Court issues the following order:

1. All discovery, except discovery relevant to Defendants' Motion for Summary Judgment filed November 20, 2007, and all other case-management deadlines are hereby stayed pending a decision on Defendants' motion; and

2. Should the Court deny Defendants' motion, the parties will contact the Court within seven days to schedule a status conference to reset outstanding case management deadlines.

IT IS SO ORDERED.

JUDGE

DATE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via the Court's ECF system this
____ day of December, 2007, to all counsel of record.
